



PATENT

#80

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Noteborn et al.

Serial No.: 09/403,213

Filed: June 22, 2000

**For: A GENE DELIVERY VEHICLE
EXPRESSING THE APOPTOSIS-
INDUCING PROTEINS VP2 AND/OR
APOPTIN**

Confirmation No.: 6984

Examiner: B. Whiteman

Group Art Unit: 1635

Attorney Docket No.: 2906-4999US

CERTIFICATE OF MAILING

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail on the date of deposit shown below with sufficient postage and in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

November 29, 2002

~~Signature~~

Scott Dorland

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Sir.

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 or PTO/SB/08 be considered by the Examiner and made of record. Copies of the listed documents are enclosed pursuant to 37 C.F.R. § 1.98(a).

In accordance with 37 C.F.R. § 1.97(g) and (h), filing of this Information Disclosure Statement is not to be construed as a representation that a search has been made or an admission that the information cited herein is, or is considered to be, material to patentability as defined in

37 C.F.R. § 1.56(b). Further, no representation is made by Applicants herein that no other possible material information as defined in 37 C.F.R. § 1.56 (b) exists.

Foreign Patent Documents

<u>Document No.</u>	<u>Publication Date</u>	<u>Patentee</u>
WO 96/41191	12-19-1996	Aesculaap B.V.

Other Documents

Levrero et al., Defective and nondefective adenovirus vectors for expressin foreign genes in vitro and in vivo, Gene, 1991, pp. 195-202, Vol. 101.

Noteborn et al., A single Anaemia Virus Protein, Apoptin Causes Cytopathogenic Effect by Inducing Apoptosis, pp. 376-381.

Noteborn et al., A Single Chicken Anemia Virus Protein Induces Apoptosis, Journal of Virology, January 1994, pp. 346-51, Vol. 68, No. 1.

Noteborn et al., Chicken anaemia virus infection: molecular basis of pathogenicity, Avian Pathology, 1995, pp. 11-31, Vol. 24.

Noteborn et al., Characterization of Cloned Chicken Anemia Virus DNA That Contains All Elements for the Infectious Replication Cycle, Journal of Virology, June 1991, pp. 3131-39, Vol. 65, No. 6.

Zhuang et al., Apoptin, a Protein Derived from Chicken Anemia Virus, Induces p53-independent Apoptosis in Human Osteosarcoma Cells, Cancer Research, February 1, 1995, pp. 486-89, Vol. 55.

Zhuang et al., Apoptin, a Protein Encoded by Chicken Anemia Virus, Induces Cell Death in Various Human Hematologic Malignant Cells in vitro, Leukemia, 1995, pp. S118-S120, Vol. 9, Suppl. 1.

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56 & 1.175, applicant hereby identifies the following listed copending applications naming the same inventor(s):

Attorney Docket No.: 2906-4918US
Serial No.: 09/384,472
Filing Date: 8/27/1999
Title: CLONING OF CHICKEN ANEMIA DNA

Attorney Docket No.: 2906-4919US
Serial No.: 09/485,551
Filing Date: 5/2/2000
Title: DETERMINING THE TRANSFORMING CAPABILITY OF AGENTS

Attorney Docket No.: 2906-5008US
Serial No.: 09/555,981
Filing Date: 8/1/2000
Title: MOLECULES INTERACTING WITH APOPTIN

Attorney Docket No.: 2906-4995US
Serial No.: 09/655,109
Filing Date: 9/5/2000
Title: APOPTIN-ASSOCIATING PROTEIN

Attorney Docket No.: 2906-4997US
Serial No.: 09/733,416
Filing Date: 12/8/2000
Title: APOPTIN-ASSOCIATING PROTEIN

Attorney Docket No.: 2906-4922US
Serial No.: 09/740,676
Filing Date: 12/18/2000
Title: CHICKEN ANEMIA VIRUS MUTANTS AND VACCINES AND USES BASED ON THE VIRAL PROTEINS VP1, VP2, AND VP3 OR SEQUENCES OF THAT VIRUS CODING THEREFOR

Attorney Docket No.: 2906-4725US
Serial No.: 09/764,176
Filing Date: 1/17/2001
Title: APOPTIN-ASSOCIATING PROTEIN

Attorney Docket No.: 2906-4820US
Serial No.: 09/819,308
Filing Date: 3/27/2001
Title: APOPTIN-ASSOCIATING PROTEIN

Attorney Docket No.: 2906-4992US
Serial No.: 09/889,430
Filing Date: 1/17/2002
Title: USE OF APOPTOSIS INDUCING AGENTS IN THE TREATMENT OF (AUTO) IMMUNE DISEASES

Attorney Docket No.: 2906-5001.1US
Serial No.: 09/949,780
Filing Date: 9/10/2001
Title: A DELIVERY METHOD FOR THE TUMOR SPECIFIC APOPTOSIS INDUCING ACTIVITY OF APOPTIN

Attorney Docket No.: 2906-4996.1US
Serial No.: 10/083,849
Filing Date: 10/19/2001
Title: MODIFICATIONS OF APOPTIN

Attorney Docket No.: 2906-4819.1US
Serial No.: 10/113,790
Filing Date: 3/29/2002
Title: FUSION PROTEINS FOR SPECIFIC TREATMENT OF CANCER AND AUTOIMMUNE DISEASES

Attorney Docket No.: 2906-5334US
Serial No.: 10/126,474
Filing Date: 4/19/2002
Title: APOPTOSIS INDUCING PROTEINACEOUS SUBSTANCE

Attorney Docket No.: 2906-4918.1US
Serial No.: 10/256,041
Filing Date: 9/26/2002
Title: CLONING OF CHICKEN ANEMIA VIRUS DNA

This Information Disclosure Statement is filed after the mailing date of the first Office Action on the merits.

Please withdraw the fee pursuant to 37 C.F.R. § 1.17(p) from deposit account 20-1469.

Respectfully submitted,



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Date: November 29, 2002

ACT/bv/gsd

Enclosures: Form PTO-1449 or PTO/SB/08
Copy of documents cited

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